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Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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	Application Number	10/065,868	
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Filing Date	11/26/02	
	First Named Inventor	Xue Mei Zhou	
	Art Unit	1631	
	Examiner Name	Carolyn L. Smith	

Total Number of Pages in This Submission 130 Attorney Docket Number 3291.3B **ENCLOSURES** (check all that apply) After Allowance Communication to Drawing(s) Fee Transmittal Form Group Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Petition Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Terminal Disclaimer Other Enclosure(s) Extension of Time Request (please identify below): Form 1449, plus 126 pages of Request for Refund references Express Abandonment Request CD, Number of CD(s) 1 **Return Postcard** IOS Information Disclosure Statement Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT - Firm Philip L. McGarrigle Reg. No. 31,395 Individual name Signature December 12, 2003 Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Gilda T. Carr

Signature Sulda I Carr

Date December 12, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





Attorney Docket No. 3291.3B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xue Mei Zhou

Serial No: 10/065,868

Filing Date: 11/26/02

Title: Method, System and Computer Software for Online Ordering of Custom

Probe Arrays

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form 1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. In accordance with 37 CFR 1.98, a copy of each cited reference is enclosed herewith.

Reference No. 6 on the attached Form 1449 is being called to the attention of the Examiner. PCT publication number WO 02/44994 A2 contains more than 700 pages. In an effort to make the review of this reference more manageable for the Examiner, a CD with an electronic copy of this reference is enclosed herewith.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a

Examiner:

Carolyn L. Smith

Group Art Unit: 1631

INFORMATION DISCLOSURE

STATEMENT

representation that a search has been made, other than as described above; or (3) an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants believe that <u>no fee is required</u> for submission of this statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated: December 12, 2003

Respectfully submitted,

Customer No. 22886 Legal Department Affymetrix, Inc.

3380 Central Expressway Santa Clara, CA 95051

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Reg. No. 31,395

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DEC 1.7.2003

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known			
Application Number	10/065,868		
Filing Date	11/26/02		
First Named Inventor	Xue Mei Zhou		
Art Unit	1631		
Examiner Name	TBD		
Attorney Docket Number 3291.3B			

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
			211122	0 11 11	Figures Appear
	1	US-2002/0102559A1	8/1/02	Cattell	
	2	US- 2003/0033290A1	2/13/03	Garner et al	
		US-			
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	FOREIGN PATENT DOCUMENTS					
Examiner Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines, Where Relevant	,	
	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)		Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶	
	3	WO 01/31333A1	5/3/01	Genometrix Genomics, Inc.		
	4	JP 2002074089	3/12/02	Canon, Inc.		Х
	5	WO 01/80155A2	10/25/01	Combimatrix Corp.		
	6	WO 02/44994A2	6/6/02	Third Wave Technologies	716 pages on CD Enclosed	
	7	WO 02/061646A1	8/8/02	Takegawa		
	<u> </u>					
			<u> </u>			

Examiner Signature	 Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Transation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.